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PATENT
Attorney Docket No.: 021430-000212US

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By: 

Sylvia E. Arnold

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re divisional of U.S. Patent Application
No. 10/043,629 of:

Budach and Neuschaefer

Application No.: Unknown

Filed: Herewith

For: SENSOR PLATFORM,
APPARATUS PLATFORM,
APPARATUS INCORPORATING THE
PLATFORM, AND PROCESS USING
THE PLATFORM

Examiner: Unknown

Art Unit: Unknown

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 10/043,629, filed January 10, 2002 (Attorney Docket No. 021430-000210US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,


Gerald T. Gray
Reg. No. 41,797

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First Named Inventor

Budach et al.

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U.S. PATENT DOCUMENTS

Examiner	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	AA	US-4,810,658	03/07/1989	Shanks et al.	
	AB	US-4,828,387	05/09/1989	Sawyers et al.	
	AC	US-4,882,288	11/21/1989	North et al.	
	AD	US-4,931,384	06/06/1990	Layton et al.	
	AE	US-4,952,056	08/28/1990	Tiefenthaler	
	AF	US-4,978,503	12/18/1990	Shanks et al.	
	AG	US-4,992,385	02/12/1991	Godfrey	
	AH	US-5,006,716	04/09/1991	Hall	
	AI	US-5,082,629	01/21/1992	Burgess et al.	
	AJ	US-5,164,589	11/17/1992	Sjödin	
	AK	US-5,186,897	02/16/1993	Eason et al.	
	AL	US-5,192,502	03/09/1993	Attridge et al.	
	AM	US-5,208,111	05/04/1993	Decher et al.	
	AN	US-5,242,828	09/07/1993	Bergström et al.	
	AO	US-5,294,402	03/15/1994	Schrepp et al.	
	AP	US-5,312,729	05/17/1994	Allen et al.	
	AQ	US-5,374,563	12/20/1994	Maule	
	AR	US-5,415,842	05/16/1995	Maule	
	AS	US-5,434,663	06/18/1995	Maule	
	AT	US-5,436,161	06/25/1995	Bergström et al.	
	AU	US-5,455,178	10/03/1995	Fattinger	
	AV	US-5,468,620	11/21/1995	Molloy et al.	
	AW	US-5,478,756	12/26/1995	Gizeli et al.	
	AX	US-5,480,687	01/02/1996	Heming et al.	
	AY	US-5,491,556	02/13/1996	Stewart et al.	
	AZ	US-5,492,840	02/20/1996	Malmqvist et al.	
	BA	US-5,532,170	07/02/1996	Buckle et al.	
	BB	US-5,554,541	09/10/1996	Malmqvist et al.	
	BC	US-5,631,734	05/20/1997	Stern et al.	
	BD	US-5,641,640	06/24/1997	Hanning	
	BE	US-5,663,790	09/02/1997	Ekström et al.	
	BF	US-5,712,705	01/27/1998	Fattinger et al.	
	BG	US-5,716,854	02/10/1998	Löfås et al.	
	BH	US-5,738,825	04/14/1998	Helmut Rudigier et al.	
	BI	US-5,770,462	06/23/1998	Molloy	

Examiner
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Considered¹ EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.² Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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Filing Date	Herewith
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Art Unit	
Examiner Name	to be assigned
Attorney Docket Number	021430-000212US

U.S. PATENT DOCUMENTS

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		Number Kind Code ² (if known)			
	BJ	US-5,779,978	07/14/1998	Hartmann et al.	
	BK	US-5,822,472	10/13/1998	Danielzik et al.	
	BL	US-5,830,766	11/03/1998	Attridge et al.	
	BM	US-5,846,843	12/08/1998	Simon	
	BN	US-5,874,219	02/23/1996	Rava et al.	
	BO	US-5,898,503	04/27/1999	Keller et al.	
	BP	US-5,912,456	06/15/1999	Melendez et al.	
	BQ	US-5,946,083	08/31/1999	Melendez et al.	
	BR	US-5,955,729	09/21/1999	Nelson et al.	
	BS	US-5,959,292	09/28/1999	Duveneck et al.	
	BT	US-5,965,456	10/12/1999	Malmqvist et al.	
	BU	US-5,972,612	10/26/1999	Malmqvist et al.	
	BV	US-5,981,956	11/09/1999	Stern	
	BW	US-6,078,705	06/20/2000	Neuschäfer et al.	
	BX	US-6,093,536	07/25/2000	Drake et al.	
	BY	US-6,111,248	08/29/2000	Melendez et al.	
	BZ	US-6,111,652	08/29/2000	Melendez et al.	
	CA	US-6,127,183	10/03/2000	Ivarsson et al.	
	CB	US-6,141,096	10/31/2000	Stern et al.	
	CC	US-6,143,574	11/07/2000	Karlsson et al.	
	CD	US-6,183,696	02/06/2001	Elkind et al.	
	CE	US-6,191,847	02/20/2001	Melendez et al.	
	CF	US-6,198,869	03/06/2001	Kraus et al.	
	CG	US-6,200,814	03/13/2001	Malmqvist et al.	
	CH	US-6,203,989	03/20/2001	Goldberg et al.	
	CI	US-6,207,381	03/27/2001	Larsson et al.	
	CJ	US-6,207,960	03/27/2001	Stern	
	CK	US-6,211,954	04/03/2001	Danielzik et al.	
	CL	US-6,218,194	04/14/2001	Lyndin et al.	
	CM	US-6,225,625	05/01/2001	Pirrung et al.	
	CN	US-6,245,578	06/12/2001	Molloy	
	CO	US-6,252,236	06/26/2001	Trulson et al.	
	CP	US-6,289,144	09/11/2001	Neuschäfer et al.	
	CQ	US-6,289,286	09/11/2001	Andersson et al.	
	CR	US-6,294,327	09/25/2001	Walton et al.	

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FOREIGN PATENT DOCUMENTS

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		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	CS	WO	97/29362	PCT	08/14/1997			
	CT	EPO	0 178 083		04/16/1986			
	CU	UK	2 227 089		07/18/1990			
	CV	UK	2 256 477		12/09/1992			
	CW	WO	90/03382	PCT	04/05/1990			
	CX	WO	91/16425	PCT	10/31/1991			
	CY	EPO	0 455 067	A2	11/06/1991			
	CZ	WO	92/10092	PCT	06/25/1992			
	DA	WO	95/33197	PCT	12/07/1995			
	DB	WO	96/26432	PCT	08/29/1996			
	DC	WO	96/35940	PCT	11/14/1996			
	DD	WO	97/02357	PCT	01/23/1997			
	DE	WO	98/21571	PCT	05/22/1998			
	DF	WO	98/27430	PCT	06/25/1998			
	DG	WO	99/13320	PCT	03/18/1999			
	DH	WO	99/26059	PCT	05/27/1999			
	DI	WO	00/75644	A1	12/21/2000			
	DJ	WO	01/02839	A1	01/11/2001			

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	DK	Adlard, et al., The American Physical Society, Physical Review Letters, Vol. 79, No. 9, "Localization of One-Photon States," pp. 1585-1587, (1997)	
	DL	Parriaux, et al., Pure Appl. Opt. 5, Printed in the UK, "Coupling gratings as waveguide functional elements," pp. 453,469 (1996)	
	DM	Rosenblatt, et al., IEEE Journal of Quantum Electronics, Vol. 33, No. 11, "Resonant Grating Waveguide Structures," November, 1997	
	DN	Dolder, et al., Derwent Abstracts, 1991-339813 [46], "Method for the Light-Induced Immobilization of Biomolecules on Chemically "Inert" Surfaces" (WO 91/16425 - 10/31/91)	

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	DO	Sychugov, et al., Sensors and Actuators, B 38-39, "Waveguide Coupling Fratings for High-Sensitivity Biochemical Sensore," pp. 360-364 (1997)	
	DP	Tyagi, et al., Nature Biotechnology, "Molecular Beacons: Probes that Fluoresce Upon Hybridization," Vol. 14, pp. 303-308 (March 1996)	
	DQ	Wang, et al., Applied Optics, Vol. 32, No. 14, "Theory and Application of Guided-Mode Resonance Filters," (May 10, 1993)	
	DR	Kogelnik, H., "Theory of Optical Waveguides," ed. Tamit, T., Guided-Wave Optoelectronics, pp. 7-88, Springer-Verlag: New York, (1988)	

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